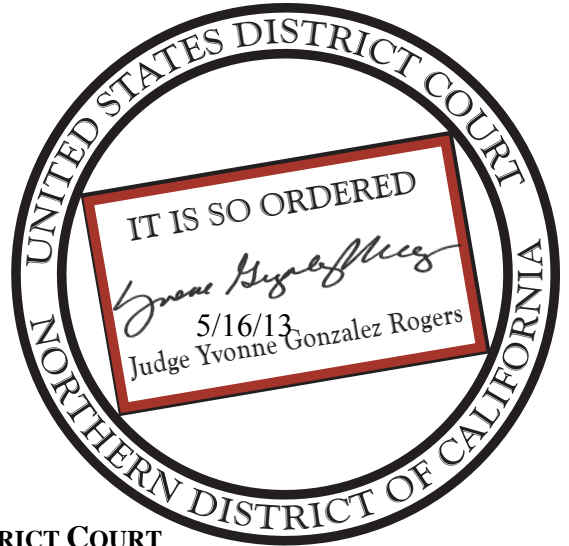


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ATTORNEYS FOR PLAINTIFF
OPTOPLEX CORPORATION



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

OPTOPLEX CORPORATION

Plaintiff,

vs.

O-NET COMMUNICATIONS (USA), INC.,

O-NET COMMUNICATIONS GROUP LTD.

Defendants.

CIVIL CASE NO.: 12-CV-5996-YGR

**STIPULATION TO DISMISS WITHOUT
PREJUDICE**

WHEREAS a Case Management Conference is currently scheduled for June 3, 2013;

WHEREAS Defendants O-Net Communications (USA), Inc. and O-Net Communications Group Ltd. (collectively "Defendants") filed Answer to Complaint on May 8, 2013 (Dkt. 15).

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff and Defendants hereby stipulate to dismiss the above captioned action WITHOUT PREJUDICE.

This stipulation of dismissal is proper because this action is still in its infancy and all parties who

1 have appeared stipulate to dismiss this action. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii) (stating that the
2 plaintiff may dismiss an action without a court order by filing a stipulation of dismissal signed by
3 all parties who have appeared).

4
5 Respectfully submitted,

6 Dated: May 15, 2013

By: /s/ Bijal V. Vakil

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13 Dated: May 15, 2013

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ATTORNEYS FOR DEFENDANTS O-NET

COMMUNICATIONS (USA), INC.,

O-NET COMMUNICATIONS GROUP LTD.

ATTESTATION CLAUSE

I, Bijal V. Vakil, hereby attest in accordance with General Order No. 45.X that John P. Schnurer, Counsel for Defendants has provided his concurrence with the electronic filing of the foregoing document entitled **STIPULATION TO DISMISS WITHOUT PREJUDICE**.

Dated: May 15, 2013

WHITE & CASE LLP

By: /s/ Bijal V. Vakil
Bijal V. Vakil

ATTORNEY FOR PLAINTIFF OPTOPLEX
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WHITE & CASE LLP
ATTORNEYS AT LAW